

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

**EXECUTIVE SUMMARY OF THE FEDERAL RULES, USDCNH LOCAL RULES,
AND ADMINISTRATIVE PROCEDURES FOR ELECTRONIC CASE FILING
IN THE DISTRICT OF NEW HAMPSHIRE**

(June 1, 2004)

PREAMBLE

The following is a compilation of both the federal and local rules, as well as the local administrative procedures, governing electronic case filing (ECF). While this document does not contain a comprehensive listing of all rules and procedures that may apply to an ECF case, it provides a detailed topical overview, with citations, in one document and in an easy to read format. We think future ECF users would greatly benefit by reading this document as a primer before reviewing the pertinent rules and procedures or the district's ECF User Guide. Of course, in practice counsel and the parties involved in an ECF case may not rely on the contents of this informational document and are responsible to consult applicable federal statutes, federal rules of procedure, local rules of this court, administrative procedures governing electronic case filing, and standing orders of this court.

AUTHORITY TO PERMIT ELECTRONIC FILING

In general, the authority to permit electronic filing is derived from three sources: (1) the Federal Rules of Civil and Criminal Procedure; (2) the Local Rules of this District ("LR"), and (3) the Administrative Procedures for Electronic Case Filing ("AP").

Federal Rule of Civil Procedure 5(e) authorizes the adoption of local rules allowing the court to accept papers "filed, signed, or verified by electronic means" and provides that "[a] paper filed by electronic means in compliance with a local rule constitutes a written paper for the purposes of applying these rules." See also Fed. R. Crim. P. 49(d) ("A paper must be filed in a manner provided for in a civil action.") (Advisory Committee Note to subdivision (d) provides "[t]his rule incorporates by reference rule 5(d) and (e) of the Federal Rules of Civil Procedures,..."). Thus, Local Rule 5.4(a) authorizes the clerk's office to accept papers filed by electronic means. It further treats documents filed through the court's electronic filing system as a pleading entered on the court's docket and as a written paper within the meaning of the federal rules of procedure and local rules of this court. LR 5.4(a). Finally, the ECF Administrative Procedures contain the detailed procedures that govern electronic case filing in this district.

SCOPE OF ELECTRONIC CASE FILING

All documents submitted for filing by a member of the bar of this district in civil cases commenced on or after June 1, 2004, and in criminal cases commenced on or after January 1, 2005, except those documents specifically exempted, shall be electronically filed using the court's Electronic Case Filing System (ECF). AP 2.1(a). A case initiated prior to the above dates may be designated as an ECF case upon order of the court or upon motion assented to by all parties and approved by the court. Id. A party who is not represented by counsel may file papers with the clerk in the traditional manner, but is not precluded from filing electronically. AP 2.1(d).

An attorney may apply to the court for permission to file paper documents in cases filed after the above ECF effective dates. AP 2.1(b). At the present time, if one counsel of record is exempted from electronic filing (or if the case involves a pro se litigant who is not filing electronically), then all counsel shall conventionally file all documents and the case will be maintained in paper format. AP 2.1(b) & (d). This policy will be reevaluated in the fall or winter of 2004-2005.

To ease the transition to ECF, case initiating documents, such as a civil complaint, can be filed either electronically or on paper. AP 2.4(a). Additionally, until June 1, 2005, an attorney who is not an ECF Filing User may conventionally file the first document on behalf of a client in an ECF case without leave of the court. AP 2.1(c). Within thirty (30) days thereafter, however, the attorney must register as an ECF Filing User. Id.

ELIGIBILITY TO FILE ELECTRONICALLY & REGISTRATION

A person must register with both ECF and PACER in order to be an ECF Filing User. AP 6.1 (ECF); AP 6.2(f)(PACER). In order to file certain documents in ECF, such as case initiating documents, pro hac vice motions, notices of appeal, and requests for a copy of an audiotape, a Filing User must also complete and submit an ECF Credit Card Blanket Authorization Form. AP 2.4(a)(case initiating documents); AP 3.6 (notices of appeal); AP 3.7 (pro hac vice motions).

ECF Registration. An attorney admitted to the Bar of this court may register as an ECF Filing User by completing the prescribed registration form and submitting it to the clerk. AP 6.1(a). An attorney admitted pro hac vice must register as an ECF Filing User. AP 6.1(b). Registration as a Filing User constitutes consent to electronic service of all documents in accordance with the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure. AP 6.2(b).

A non-prisoner who is a party to a civil action and who is not represented by an attorney may file a motion to register (on a form prescribed by the clerk's office) as an ECF Filing User solely for purposes of the action. AP 2.1 (d) & 6.1(c). If during the course of the action the pro

se litigant retains an attorney who appears on their behalf, the clerk's office shall terminate the person's registration upon the attorney's appearance. AP 6.1(c).

The ECF Registration Form is available on the court's website. Completed registration forms should be mailed to the clerk's office.

Duty to Update ECF Registration Information. An ECF Filing User has an obligation to notify the clerk's office of any change in the following information contained in the original Registration Form through a Notice of Change of Address form: name; mailing address; firm name or affiliation; or telephone number. AP 6.2(e). If participating in an active ECF case, a Filing User shall inform the court and parties of such a change through the use of the "Notice of Change of Address" event in ECF in each active case. Id. An ECF Filing User may, however, change their e-mail address through maintenance of their user account without filing a Notice of Change of Address.

Withdrawal As ECF Filing User. Once registered, an attorney of record in an active ECF case may withdraw from participating in the ECF system only upon motion in that case. AP 6.2(g). Otherwise, an attorney may withdraw from participating in the ECF system by providing the clerk's office with a written notice of withdrawal. Id. Upon receipt, the clerk's office will immediately cancel the attorney's password and delete the attorney's name from any applicable electronic service list. Id. An attorney's withdrawal from participation in the ECF system will not be construed as authorization for the attorney to file cases or documents conventionally unless so authorized by court order. Id.

CM/ECF User Group List Serve Registration. As a precondition to registering as an ECF Filing User, persons are required to subscribe to the court's CM/ECF User Group list serve. This will be our primary method of distributing important information to our ECF Filing Users, such as procedural updates, filing tips, systems updates, and other pertinent information. You can subscribe by going to the court's web site at www.nhd.uscourts.gov and clicking on the "Subscribe" link on the left navigation bar on the home page. If you change your e-mail address, please remember to properly update your list service account.

PACER Registration. ECF users must have a PACER account. AP 6.2(f). If you do not have a PACER login, contact the PACER Service Center at (800) 676-6856 or (210) 301-6440 to establish an account. Or, you may register for PACER online at <http://pacer.psc.uscourts.gov>. There is no fee to obtain the account. It takes approximately one (1) week to receive a login and password from the PACER Service Center.

ECF Credit Card Blanket Authorization Form. There are certain filings that have associated filing fees which can be filed through ECF only if the attorney has an ECF Credit Card Blanket Authorization Form on file in the clerk's office. Otherwise, such pleadings must be filed in the traditional manner together with the appropriate filing fee. In general, the most common pleadings requiring a filing fee are as follows:

- A new civil or miscellaneous case (AP 2.4(a))
- A notice of appeal (AP 3.6)
- A motion to admit an attorney pro hac vice (AP 3.7)
- A request for copy of an audiotaped hearing

The ECF Credit Card Blanket Authorization form is available on the court's website. Completed registration forms should be mailed to the clerk's office.

ECF LOGIN AND PASSWORD

New users will receive a login and password identification following registration. Since the ECF Administrative Procedures provide that the password and login constitute the ECF Filing User's signature for all purposes, including for the purposes of Fed. R. Civ. P. 11, see AP 2.7(a), care should be taken to ensure that this information is protected from unauthorized use. An ECF Filing User shall not allow another person to file a document using their login and password, except for an authorized agent of the filing user, such as the attorney's ECF filing assistant. AP 6.2(c). Use of an ECF Filing User's login and password by a staff member shall be deemed to be the act of the registered user. Id.

Filing Users may change their password (but not their login) at any time though maintenance of their user account. AP 6.2(d). A Filing User who learns that the security of their password has been compromised must immediately change their password and notify the clerk's office help desk. Id.

WHEN A DOCUMENT IS DEEMED "FILED" AND WHAT CONSTITUTES THE "RECORD" IN AN ECF CASE

The electronic filing of a document through ECF consistent with the ECF Administrative Procedures and rules of court, together with the transmission of a Notice of Electronic Filing from the court's ECF system, constitutes filing for all purposes of the Federal Rules of Civil/Criminal Procedure and local rules of this court. AP 2.2(a). A document electronically filed through the court's ECF system shall be deemed filed on the date and time stated on the Notice of Electronic Filing received from the court. AP 2.2(b). Electronic filing does not alter the filing deadline for that document. All electronic filings must be completed before midnight local time in order to be considered timely filed that day unless a different time is established by court order. AP 2.2(d).

Except as otherwise provided in the ECF Procedural Order, the clerk's office will not maintain a paper court file in any ECF case. AP 2.2(c). The official court record shall be the electronic file maintained on the court's servers together with any paper documents filed in accordance with the administrative procedures. Id.

SERVICE OF DOCUMENTS FILED ELECTRONICALLY

Federal Rule of Civil Procedure 5(b)(2)(D) permits service under Fed. R. Civ. P. 5(a)--not service under Fed. R. Civ. P. 4--to be completed by “[d]elivering a copy by any other means, including electronic means, consented to in writing by the person served. Service by electronic means is complete on transmission; service by other consented means is complete when the person making service delivers the copy to the agency designated to make delivery. If authorized by local rule, a party may make service under this subparagraph (D) through the court’s transmission facilities.” The provisions of Fed. R. Civ. P. 5 are incorporated by reference into Fed. R. Crim. P. 49(b). Additionally, Fed. R. Civ. P. 77(d) and Fed. R. Crim. P. 49(c) authorize courts to serve notice of entry of orders or judgments by electronic means as provided by Rule 5(b).

Local Rule 5.4(b) authorizes service of court orders and service by the parties, as required by Fed. R. Civ. P. 5(b) and Fed. R. Crim. P. 49(b), to be accomplished through the court’s ECF transmission facilities. It also authorizes the court to enact procedural orders governing electronic service. LR 5.4(b).

Whenever a pleading or other document is filed electronically, the ECF system will automatically generate and send a Notice of Electronic Filing (NEF) to the Filing User and registered users of record. The NEF, which will also be maintained on the court’s docket, shall serve as the court’s date-stamp and proof of filing. AP 2.2(a) & (b).

Transmission of the NEF to ECF registered users who are counsel of record in a case shall constitute service of the filed document and is deemed to satisfy the requirements of Fed. R. Civ. P. 5(b)(2)(D) and 77(d) and Fed. R. Crim. P. 49(b). AP 2.8(b). By registering as a participant in the court’s ECF system, a registered user consents to electronic service of all electronically filed documents in ECF cases. AP 2.8(c). Pursuant to Fed. R. Civ. P. 5(b)(2), service is complete upon transmission.

Attorneys and pro se litigants who are not ECF Filing Users must be served with a paper copy of any electronically filed pleading or other document in accordance with the provisions of Fed. R. Civ. P. 5. AP 2.8(d). Pursuant to Fed. R. Civ. P. 5(b)(3), a Filing User who learns that electronic service through the court’s transmission facilities did not reach the person to be served must serve the document in an alternative manner approved by Fed. R. Civ. P. 5.

Pursuant to Fed. R. Civ. P. 6(e), service by electronic means shall be treated the same as service by mail for the purpose of adding three (3) days to the prescribed period to respond.

Additionally, to the extent that the ECF Administrative Procedures permit a pleading or other document to be filed conventionally, service must be effectuated in a manner authorized by the federal rules of procedures. AP 3.8.

Case opening complaints or petitions may not be served electronically and must be served in accordance with Fed. R. Civ. P. 4. AP 2.4(b). Additionally, LR 5.1(d) prohibits filing and service of pleadings by facsimile transmission.

CERTIFICATES OF SERVICE

Pursuant to Fed. R. Civ. P. 5(d) and LR 5.1(d), all documents filed using the ECF system must still include a certificate of service. The certificate of service must identify the manner and date on which service on each party was accomplished. LR 5.1(d).

SIGNATURES ON ELECTRONICALLY FILED DOCUMENTS

Attorneys. The Filing User's login and password required to submit documents to the ECF system shall serve as that user's signature for purposes of Fed. R. Civ. P. 11 and for all other purposes under the federal rules of procedure and the local rules of this court. AP 2.7(a)(1). All electronically filed documents must include a signature block and must set forth the attorney's name, bar registration number, address, telephone number, and e-mail address. AP 2.7(a)(2). The name of the ECF user under whose login and password the document is submitted must be preceded by a "/s/" and typed in the space where the signature would otherwise appear. Id.

Multiple Signatures. The filer of any document requiring more than one signature (e.g. pleadings filed by visiting lawyers, stipulations, joint status reports) must list thereon all the names of other signatories by means of a "/s/" block for each. AP 2.7(b)(1). By submitting such a document, the filing attorney certifies that each of the other signatories has expressly agreed to the form and substance of the document and that the filing attorney has their actual authority to submit the document electronically. AP 2.7(b)(2).

Affidavits. Preexisting affidavits and preexisting non-Filing User signature documents shall be filed in a scanned PDF format. AP 2.7(c). All other affidavits and non-Filing User signature documents, including the signature of a notary or other jurat, shall be filed in an electronically converted PDF format and shall contain a "/s/ ____" block indicating that the paper document bears an original signature. Id.

Objection to Authenticity. A non-filing signatory or party who disputes the authenticity of an electronically filed document must file an objection to the document within ten (10) days of the date on the Notice of Electronic Filing. AP 2.7(d).

Retention Requirement. Documents that are electronically filed and contain original signatures other than that of the Filing User, as well as consents to file under AP 2.7(b)(2) to the extent memorialized, shall be maintained in paper form by the Filing User until three (3) years after the date of filing or until the conclusion of all appeals in the case, whichever date is later. AP 2.7(e). Upon request of the court or any party, a Filing User must make the original documents available for inspection. Id.

PDF FORMAT AND QUALITY CONTROL

PDF Format Required. Documents electronically filed must be submitted in Portable Document Format (PDF) format. There are two types of PDF documents – electronically converted PDF documents and scanned image PDF documents. AP 1.1(f). Only documents electronically converted to PDF from the word processing original may be filed through ECF unless the Filing User possesses only a paper copy of the document to be submitted, in which case a scanned PDF may be submitted. AP 2.3(a).

PDF Documents Exceeding Two Megabytes. No document exceeding 2 megabytes will be accepted in ECF. Any document exceeding 2 megabytes must be submitted in separate segments of less than 2 megabytes. AP 2.3(b). If the court's ECF system indicates that a document submitted exceeds 2 megabytes, the Filing User must attempt to resubmit the document using reduced megabyte segments. Id.

Scanned Documents. As stated previously, Filing Users may submit a scanned image PDF document only if the document cannot be electronically converted to PDF. AP 2.3(a). As pleadings should always be electronically converted from the word processing original, typically the only documents that might be scanned in a case would be attachments or exhibits to a motion or other pleading. For further information regarding the submission of attachments and exhibits, see infra.

Verify Readability Requirement. The Filing User must verify the readability of a converted or scanned PDF document before electronically filing it in ECF. AP 2.3(g).

Virus Check Requirement. The Filing User shall conduct a virus check before submitting a PDF document in ECF. AP 2.3(f).

Scanned Document Retention Requirement. Paper documents converted to PDF through a scanner and filed using ECF must be retained by the Filing User until three (3) years after the date of filing or until the conclusion of all appeals in the case, whichever date is later. AP 2.3(h). Upon request of the court or any party, a Filing User must make the paper document available for inspection. Id.

ELECTRONIC PLEADING FORMATTING REQUIREMENTS

Title of Docket Entries/Pleadings. All electronically filed documents shall be titled and docketed in accordance with the approved dictionary of civil/criminal events available on ECF. AP 2.3(c). The clerk's office may, when necessary and appropriate, modify the docket entry description to comply with quality control standards. Id.

Format of Electronic Filings. Except as provided in the ECF Administrative Procedures, electronically filed documents must comply with the formatting and page limit requirements for paper documents as set forth in the Federal Rules of Civil/Criminal Procedure and the local rules of this court. AP 2.3(d).

ERRONEOUS DOCKET ENTRIES

A Filing User may not correct docket entry or document submission error after a document is electronically filed in ECF. AP 2.3(i). If necessary to satisfy a filing deadline, a Filing User may resubmit the document electronically through a “Corrective Entry” event in ECF. Id. Otherwise, the Filing User shall not attempt to refile the document in ECF. Id. The Filing User shall immediately contact the clerk’s office help desk to report the error and request necessary remedial action. Id. The clerk’s office may make an entry indicating that the document was filed in error and may request that the document be refiled. Id. The court may, upon motion of a party or upon its own motion, strike any erroneously or inappropriately filed document. Id.

FAILURE OF ECF SYSTEM OR FILER’S SYSTEM

ECF System Failure. A failure of the ECF system, referred to as a “technical failure,” will be deemed to have occurred when the court’s ECF site cannot accept filings continuously or intermittently over the course of any period of time greater than one hour after 12:00 pm (noon) on a given day. AP 2.10(a). A Filing User experiencing a technical failure may conventionally file the document if accompanied by a declaration attesting to the Filing User’s attempts to timely file the document using ECF. AP 2.10(b). If a Filing User misses a filing deadline due to an inability to file electronically as a result of a technical failure (i.e. cannot conventionally file the document in time), such a failure shall constitute a condition rendering the office of the clerk of court inaccessible within the meaning of Fed. R. Civ. P. 6 and Fed. R. Crim. P. 45. AP 2.10(e). In such circumstances, the Filing User may electronically or conventionally file the document, accompanied by a declaration stating the reasons for missing the deadline, no later than 12:00 noon of the first day on which the court is open for business following the original filing deadline. Id. Jurisdictional deadlines, however, cannot be extended by the court for any reason and counsel is responsible for ensuring that a document is timely filed to comply with a jurisdictional deadline. Id. For example, the jurisdictional deadlines contained in Fed. R. Civ. P. 6(b), which in turn references Fed. R. Civ. P. 50(b) & (c)(2), 52(b), 59(b),(d) & (e), and 60(b), may not be extended by court order or local rule.

If a pleading is filed conventionally, a Filing User must serve the document in any alternative manner permitted by the Federal Rules of Civil/Criminal Procedure. AP 2.10(c). The Filing User shall immediately report a technical failure to the clerk’s office help desk. AP 2.10(d).

Filer’s System Failure. A problem with the Filing User’s systems or equipment shall not constitute a technical failure nor excuse an untimely filing. AP 2.10(f). In such circumstances,

however, a Filing User may file the document conventionally with a declaration explaining how the systems failure precluded filing in ECF. Id.

CIVIL/MISCELLANEOUS CASE OPENING DOCUMENTS

Filing. Civil and miscellaneous case opening documents and related attachments may be (i) electronically filed through the court's ECF system if the Filing User previously provided the clerk's office with a credit card authorization form, simultaneously submits a motion to proceed in forma pauperis, or if no filing fee is required, or (ii) conventionally filed with the appropriate filing fee. AP 2.4(a).

"Civil case opening documents" shall include, but are not limited to, complaints, petitions, or notices of removal. Id. Related attachments that should be electronically filed shall include, but are not limited to, the civil cover sheet and summons/notice of lawsuit and waiver of summons. Id. A Filing User requesting summonses must complete the top section of the each summons form before filing electronically or conventionally. Id. The clerk's office will scan and insert conventionally filed case opening documents and related attachments (excluding the civil case cover sheet) onto the court's electronic docket. Id.

Service. If summonses are submitted with the case opening documents, the clerk's office will return signed and sealed paper copies of the summonses by regular mail to counsel for the plaintiff(s) for service of process. AP 2.4(b). Case opening complaints or petitions may not be served electronically and must be served in accordance with Federal Rule of Civil Procedure 4. Id.

Return of Service. All returns of service or other returns in civil and miscellaneous cases shall be electronically filed in a scanned PDF format. AP 2.4(c).

CRIMINAL CHARGING DOCUMENTS

All charging documents, including indictments, superseding indictments, informations, complaints and citations or violation notices, and accompanying documents such as supporting affidavits, warrants for arrest, praecipe for summons or warrant, summons (if applicable) and criminal case cover sheets, shall be conventionally filed. AP 3.1(a). The charging document, but not the criminal case cover sheet, will be scanned and added to the court's electronic docket. Id.

ATTACHMENTS AND NON-TRIAL EXHIBITS

Submit in PDF Format as Separate Attachment to Main Document. As stated previously, Filing Users may submit a scanned image PDF document only if the document cannot be electronically converted to PDF. AP 2.3(a). As pleadings should always be electronically converted from the work processing original, typically the only documents that might be scanned in a case would be attachments or exhibits to a motion or other pleading.

Unless otherwise provided in the ECF Administrative Procedures, all documents referenced as exhibits or attachments to a motion or other pleading (“main document”) shall be electronically filed in a converted or scanned PDF format. AP 2.5(a). Each exhibit or attachment to the main document shall be filed as a separate attachment to the main document and shall be individually numbered/lettered. Id. If attachments include more than one exhibit, the Filing User need not submit a separate table of contents or index as otherwise required by LR 5.1(a)(2), as the documents will be separately hyperlinked and indexed in the ECF system. Id.

May Be Submitted in Excerpted Format. A Filing User may submit as attachments and non-trial exhibits only those excerpts of the referenced documents that are directly germane to the matter under consideration by the court. AP 2.5(b). Excerpted material must be clearly and prominently identified as such. Id. Filing Users must promptly provide excerpted documents in full to any party making such a request. Id. Responding parties may timely file additional excerpts, or the complete document, if they believe these additional submissions are directly germane. Id. The court may require the parties to file additional excerpts or the complete document. Id.

Conventional Filing of Attachments/Non-Trial Exhibits. Some attachments and non-trial exhibits may be filed conventionally. For example, attachments and non-trial exhibits that cannot reasonably be filed in an electronically converted or scanned PDF format, such as bulky attachments, physical exhibits, demonstrative evidence, and video or audio tapes, may be conventionally filed. AP 2.5(c). Additionally, until June 1, 2005, Filing Users who do not have access to a scanner may file conventionally attachments or exhibits that cannot be submitted in an electronically converted format. AP 2.5(d). Please note, however, that the court will provide a public scanner should users want to scan and submit their attachments electronically through ECF.

Notice of Conventional Filing. If an ECF Filing User does submit attachments conventionally, the filer shall electronically submit a Notice of Conventional Filing on a form prescribed by the clerk’s office in the place where the attachment or exhibit would have been submitted electronically as an attachment to the main document. AP 2.5(e)(1). The main document shall be deemed filed upon the issuance of the Notice of Electronic Filing, provided that the conventionally submitted matters are filed and served within 48 hours. AP 2.5(e)(2). If an attachment or exhibit is conventionally filed, it will be maintained and available for inspection in the clerk’s office and will not be added to the court’s electronic docket. AP 2.5(e)(3).

SPECIAL FILING REQUIREMENTS AND EXCEPTIONS

Conventionally Filed Documents--Scanned. Unless otherwise provided in the ECF Administrative Procedures, the clerk’s office will scan and insert on the court’s electronic docket all non-sealed conventionally filed documents listed:

Criminal:

- Charging Documents (AP 3.1(a))
- Applications and Accompanying Affidavits (AP 3.1(b))
- Return of Service Documents (AP 3.1(c))
- Documents Signed by Defendants (AP 3.1(e))
- Violations of Supervised Release/Probation (AP 3.1 (f))
- Certain CJA Vouchers (AP 3.1(h))

Civil/Miscellaneous Cases

- Administrative Inspection Warrants (AP 3.2(e))

Conventionally Filed Documents--Not Scanned. Unless otherwise provided in the ECF Administrative Procedures, the clerk's office will not scan and insert the following documents into the court's electronic docket:

Criminal:

- Grand Jury Matters (AP 3.1(d))
- CJA Voucher Supporting Materials (AP 3.1(h))

Civil/Miscellaneous:

- Administrative Records (AP 3.2(a))
- Habeas Corpus Rule 5 Materials (AP 3.2(b))
- Mediation Documents (AP 3.2(c))
- Letters Rogatory (AP 3.2(d))
- Objections to Assignment to Magistrate Judge (AP 3.2(f))

State Court Records. The certified copy of the state court record in removal actions shall be scanned and filed electronically. AP 2.6. Pursuant to LR 81.1(c), the state court record must be filed within ten (10) days of the filing of the notice of removal.

Sealed Cases and Documents. Documents to be filed under seal and simultaneously filed motions to seal shall be conventionally filed. AP 3.3(b). Motions to seal submitted without the proposed sealed document may be filed conventionally or electronically. Id. Documents in sealed cases shall be conventionally filed. AP 3.3(a).

Ex Parte Documents. All ex parte pleadings shall be conventionally filed. AP 3.4. Ex parte pleadings will be scanned and added to the public docket contemporaneously with the entry of the court's order on the ex parte request.

Trial Exhibits/Exhibits Lists. All trial exhibits and exhibit lists shall be conventionally filed in accordance with LR 83.13. AP 3.5. The clerk's office will scan and insert into the court's electronic docket only the final exhibit list and not the trial exhibits.

MANDATORY REDACTION OF PERSONAL IDENTIFIERS

To address the privacy concerns created by Internet access to court documents, LR 8.1(a) requires the filing attorney to refrain from including, or to partially redact where inclusion is necessary, the following personal identifiers from all filings with the court:

- (1) Social security numbers: Use of the last four numbers only;
- (2) Minors' names: Use of the minor's initials only;
- (3) Dates of birth: Use of the year of birth only; and
- (4) Financial account numbers: Identify the type of account and the financial institution, but use only the last four numbers of the account number.

It is the responsibility of the filing party, not the clerk's office, to review each document and to redact any personal identifiers. LR 8.1(c).

PUBLIC ACCESS TO ELECTRONIC DOCKET AND DOCUMENTS

The public may obtain access to the electronic docket and documents that have not been sealed at no charge at the clerk's office during regular business. AP 5.1 A copy fee for an electronic reproduction will be assessed in accordance with 28 U.S.C. § 1914. Id.

The public may obtain remote access to the court's docket and electronically filed documents at the court's Internet site (www.nhd.uscourts.gov) by obtaining a PACER log-in and password. AP 5.2. Documents in criminal, social security, and civil asset forfeiture cases will be limited to counsel of record and shall not be available to the general public by remote Internet access. Id. A user fee for accessing court information through PACER will be assessed in accordance with 28 U.S.C. § 1914. Id.

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